

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/938,013	NGUYEN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Gary Jones	1634	

**All Participants:**

(1) Gary Jones.

(2) Jeanine Goldberg.

**Status of Application:** After final Rejection

(3) Khue Vu Nguyen.

(4) Mai Nguyen.

**Date of Interview:** 2 November 2004

**Time:** 2:00 PM. EST

**Type of Interview:**

- ☒ Telephonic  
☐ Video Conference  
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

**Part I.**

Rejection(s) discussed:

*See Continuation Sheet*

Claims discussed:

*Claim 1*

Prior art documents discussed:

*Jong et al., Lefebvre et al., Feuerstein et al., Powell, Gruber et al. and Bruce*

**Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

*See Continuation Sheet*

**Part III.**

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

  
(Examiner/SPE Signature)

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(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of rejections discussed: 35USC103  
35USC112 1st Paragraph  
35USC112 2nd Paragraph.

Continuation of Substance of Interview including description of the general nature of what was discussed: Dr. Nguyen discussed the quatitative method used in the instant diagnostic method. MR. Jones and Ms Goldberg pointed out the the invention as claimed failed to define and unobvious improvement over the prior art. It was agreed that the claim suggested in the final rejection would overcome the new matter and indefiniteness rejections. The the particular quantity should be supplied to the last sentence of the suggested claim to distinguish over the prior art.